

THOMAS DUNN.

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JUNE 3, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. DAYTON, from the Committee on Naval Affairs, submitted the following

REPORT.

To accompany H. R. 2037.]

The Committee on Naval Affairs, to whom was referred the bill (H. R. 2037) to authorize the Secretary of the Navy to remove the charge of desertion as to Thomas Dunn, having maturely considered the same, recommend its passage with the following amendments:

In line 5 strike out the words "rolls or," so that the reading will be "now standing on the records of," etc.

In lines 6, 7, and 8 strike out the words "and the said Thomas Dunn is hereby relieved from the charge of desertion and restored to a status of honorable service."

In line 6, after the first word "Dunn," as above amended, add this proviso:

*Provided*, That said Dunn shall not by the passage of this act be entitled to any bounty or back pay of any kind.

Strike out the present title of the bill and insert in lieu thereof, "A bill to correct the naval record of Thomas Dunn."

The facts are as follows: Thomas Dunn enlisted in the Navy January 16, 1862, as a seaman, for the war; served on board the U. S. ships *North Carolina*, *Henry Janes*, and *Potomac*, and is marked as a deserter from naval hospital at Philadelphia as of March 22, 1864. Dunn served with credit, as shown by the certificate of his commanding officer. He was in the siege of the forts of New Orleans, the first siege of Vicksburg, at Sabine Pass and Galveston, at Matagorda Bay, where he was taken prisoner; was exchanged, and took part in the siege and capture of Port Hudson, and from there to Pensacola, where he was taken sick with intermittent fever and sent to the naval hospital at Pensacola. He was repeatedly discharged therefrom to duty, but almost immediately returned and was readmitted, suffering from the same disease.

At last he was sent to the naval hospital at Philadelphia, where he was admitted February 19, 1864, suffering from intermittent fever; he remained there until the physician in charge informed him that he

could do nothing for him, and only a change of climate would help or cure him. He then applied to this physician to give him his discharge, as he was utterly unfit for duty. This the physician refused to do, stating he had orders from the Department at Washington to discharge no one, but in a couple of days thereafter the physician in charge gave to Dunn a furlough, and advised him to seek a different climate. This he did, but was sick for a year thereafter, so much so that he could not return and report. When at the lapse of that time he became better he did report, but found himself marked as a deserter on the hospital record, and no relief there could be given him from the charge.

In the papers presented to the committee is the full hospital record showing this man's long struggle with this fever and apparent effort to succumb to it as little as possible and to discharge his duty as much of the time as he possibly could, and he has furnished independent proof, full and satisfactory, of his leaving the hospital under furlough, as above stated. Therefore, while the committee is ordinarily very adverse to relieving anyone from desertion in a time of war, this case seems to be an exceptional one, in which relief of the kind is clearly right, proper, and a matter of simple justice.